

**SUMMARY OF PUBLIC COMMENTS  
PROPOSED AMENDMENTS TO  
BERNALILLO COUNTY ANIMAL CONTROL ORDINANCE  
WEDNESDAY, AUGUST 13, 2008, 7 P.M.  
LOS VECINOS COMMUNITY CENTER**

A public meeting in Commissioner Michael Brasher's district regarding the proposed amendments to the Bernalillo County Animal Control Ordinance was held at Los Vecinos Community Center, 478 ½ Old Highway 66, Tijeras, at 7 p.m. Approximately 48 people attended. Commissioner Michael Brasher welcomed everyone and introductions were made. The Commissioner discussed regional planning with other counties regarding issues in the East Mountain area, including transportation issues and animal facility needs. He also mentioned that one more presentation on these proposed amendments would be made to the Village of Tijeras on Monday, August 18. Commissioner Brasher then facilitated a comment and input session from the attendees. Public comments included the following:

**Microchipping** – One attendee shared studies on microchipping that report adverse affects on dogs from microchips. Another individual said alternative methods of permanent identification should be considered, including tattooing. Several people stated that permanent identification should be required, but the owner should have the option of what identification method to utilize. A man from the East Mountain area stated that wild animals eat cats. He used to have lots of mice, but he now gets cats to get the mice. He gets a new cat about every six months, due to wild animals eating cats. He is opposed to microchipping cats for these reasons. Another man said there are several issues with microchips – potential cancer – no long term studies with control groups – circumstantial and anecdotal reports – He cannot endorse microchipping when alternatives are available. Banfield uses a different frequency on their microchips and they are not recognized by many microchip scanners. The two most popular are Avid and Home Again, but the AKC has a third variety, the Trovan microchip, which is not supported by the existing shelters and standards. Another man mentioned the average life span of a cat in the East Mountains and stated microchips should be voluntary. A woman stated that she likes microchipping and it has saved more dogs than harmed them. Microchips work for successful rescue. She keeps animals in the house, especially cats, but if they got out it would be nice to find the owner from the microchip. Microchips can distinguish a feral cat from house cats. She is in favor of microchips. Another person stated she understands the benefits of microchips but the type of permanent identification should be left up to the owner. Incentives for microchips should be offered. Another person uses a collar with a tag for her dogs and suggests the tag and collar be checked regularly and fitted properly. Some sort of ID is a good requirement. A woman involved in wolf rescue says her wolf dogs play and the collars can come off. She uses tags on Velcro. She wants an option during rescue to have a chip or a tattoo. A greyhound owner relies on collars and tags and states the collars need to be fitted properly. She doesn't support a mandatory identification form; the type should be optional/voluntary. Anything requiring a vet

should not be mandated. Another woman from the East Mountains said her East Mountain vet will not microchip any dogs. Other people said that cats are indoor animals and they shouldn't be required to pay a fee for this. Keeping cats indoors is a personal choice and this is a free country.

**Spay/Neuter** – The ordinance does not call for mandatory spay/neuter. One woman who volunteers at the Albuquerque animal shelter stated people should consider the number of animals taken in. A number of times laws are in place due to bad people and a subset creates an enormous number of unwanted animals. She is for mandatory spay/neuter. At a minimum there should be an incentive for sterilization. A hobby breeder for 20 years spoke up to say she has great empathy for overpopulation and takes it seriously. However, responsible hobby breeders' dogs are not the ones ending up in the pound. Professional hobby breeders use contracts with strict requirements, including a first right of refusal and taking animals back. She is soon to get an AKC judging license. She feels strongly that breeders are not the problem and should not be punished. Show dogs have to be intact, but not all champion or show dogs get bred. Another woman stated that not all people who own intact animals have hundreds of bucks to pay for intact permits each year, particularly if they are not going to breed their animals for several years, or maybe not at all. Another man has a male working dog and he only used him for breeding once. It is possible to control the number of puppies. The law should apply only to people who break the law all the time. Another woman stated she appreciates that spay/neuter is not mandatory; however, the new fee structure is cost prohibitive. It can take three to four years to determine what dog to breed for good breeding. Another woman stated you can have mandatory or non-mandatory spay/neuter laws. It doesn't matter. People who are responsible will comply. The ones who don't care won't comply no matter what you do. There are not enough animal control officers to make them comply. Another individual mentioned the need for better enforcement of the existing ordinance. One man stated he was at the shelter and tried to identify the breed of dogs and couldn't do it. There are lots of mutts. Breeders and rescue groups are not contributing to this shelter population. Another individual stated that many call themselves breeders, but they aren't. Don't penalize responsible breeders. She wants to see good well-bred dogs. Many people are not responsible breeders. How do we differentiate? Education is enough for some people to become responsible. A hobby breeder with nine dogs suggested we allow hobby breeders to have intact animals, paying for the license after inspection. All should be charged a litter fee. To advertise, must have a litter number. This would stop people outside the jurisdiction from selling puppies here. No puppy or litter should leave home until at least 8 weeks of age. Puppies need proper socialization—this should be in the ordinance. A man spoke up and said the meeting shouldn't be just about purebred dogs. Stray/unwanted animals are a big issue. Be proactive on spay neuter. Another man spoke up mentioning statistics that show a small number of cats are reclaimed and are more likely to be euthanized. He stated that the Humane Society of the United States says 25% are purebred. Another man needed cats for a gopher problem. He looked for stray cats and couldn't find any. Don't solve an East Mountain problem with a City of Albuquerque solution. Commissioner Brasher talked briefly about animal control problems at the City in the 90s. Another person mentioned that cats are a worse problem than dogs; there are lots of loose cats. Another woman is in contact with a feral cat

rescue group and places cats in barns and other places. Another person said he doesn't want City rules. Mandatory spay/neuter is not the answer. A woman said that mandatory spay neuter will only impact/affect responsible pet owners. One woman travels the state, visiting feed stores and vets. We are an agricultural state. We don't have City desires. People have moved away from Denver due to mandatory spay/neuter laws.

**Chaining** – One person asked: “Why do you want an animal if you are going to chain it?” It's disgusting to chain an animal. One woman wants to help officers stop chaining. The wolf rescue woman thanked Officer Wolf for coming to her wolf rescue facility. She loves wildlife and none have ever been chained. Commissioner Brasher stated he appreciates the work of the officers. Another man said he doesn't personally approve of chaining; however, just chaining is not a crime. Chained animals don't always live in inhumane circumstances. Not all chained dogs are necessarily in bad conditions. Not all mistreated dogs are on chains. In and of itself, chaining is not abuse. Another man stated that he believes chaining and stray animals are not an East Mountain issue. The East Mountains are separate. He doesn't want to be forced to pay a bunch of fees to fund a building. A woman involved in the rescue of herding dogs said that lots of them come from the East Mountains. She works hard to rehabilitate them. We need to get together to help animals that are not spoken for. She takes mixes. The East Mountains are a part of the County. She gets small dogs from the East Mountains also. We need to figure out spay/neuter for all. We should get vets to help with spay neuter prices. Use incentives for spay/neuter. Don't make it mandatory. One man found it interesting that people complain about loose, running dogs but don't want those same dogs chained. He had to chain a dog when he was building a fence. He would rather see chained dogs than loose dogs. A woman who taught for 30 years in schools located in the County said the most difficult thing to do was to get help for the animals. We should help all dogs, not just purebred dogs. She is completely opposed to chaining and believes it is associated with the usual lack of water, food and shelter. She didn't see any radical changes in the ordinance amendments or anything to improve an animal's life. People should fence their property. It is a citizen's responsibility to fence if they own animals. Another man wore a chain around his neck to demonstrate the cruelty of chaining and to emphasize how seriously he takes the issue. He stated that animal control staff are very accommodating, but they have a hard job to do. Chaining is not humane. It is atrocious. Even if laws are changed, if 50% comply, 50% of dogs don't have to suffer. A five-year phase in to implement a ban on chaining, as proposed at a previous meeting, is too long—ridiculous. Animal control are good people but they can't protect a chained dog. We must treat animals better. The dignity of a nation is judged by the way it treats its animals. Another woman used a sky tether for 3 years. She spent \$200 building new fencing, but her dogs got out anyway. She could crate her animals for 12 hours a day, but she chose to chain them, feeling that was more humane. It took her two weeks to get a new kennel. The dogs had to be tethered. You cannot ban it totally. Another woman stated that you could take a good-tempered dog and chain it, and its personality becomes almost aggressive. Others shared concerns that other loose animals could come attack your chained dog. A couple of other people mentioned that chaining problems are covered by the current ordinance and that we can't or don't always enforce the laws we have now. Chaining is a

tool. If done properly, it is ok. Chaining is not cruel by itself. Another person said neighbors should talk to neighbors to resolve issues.

**Fees** – Commissioner Brasher explained that the budget allocates funds for animal control. Money from the fees goes to the general fund. Perhaps money could be earmarked from licensing to animal control. One man stated he is opposed to the intact animal permit and the assumption it creates that there will be overpopulation if an animal is intact. Another man is opposed to the increased licensing fees for hobby breeders. One woman suggested tracking down litters in the paper and fine them if no permit was issued. Another person stated that the original fees and the proposed fees are too high. One woman pointed out the error in the increased fee for senior citizens' animals. Another man mentioned that cats are prey for wildlife; dogs aren't. The fees are high for people not contributing to the population problem. One man said there is no cat problem in the East Mountains; no stray cats.

**General** – A woman suggested that indoor cats should not have fees. Her cats stay exclusively indoors. They are not a problem and she is a responsible cat owner.

**Pet Stores** – The majority of attendees were opposed to the sale of live dogs and cats in pet stores.

**Number Limits on Pets** – One responsible breeder present has 8 dogs, 3 of which are altered. To keep a viable healthy breed, they need to have more than 6 dogs. Don't limit the number of animals. One man suggested a different approach. Start with a strict requirement for hobby breeders with a fee – don't allow random off the street hobby breeders – Reward ethical breeders. If no hobby breeder, get an intact permit. Have a professional show dog category with a permit. Include working dogs being bred for specific purposes. Have something for breeders, show people, etc. Another man stated he doesn't like the change in the fee structure for hobby breeders. They pay GRT, licenses, and make no profit. Animal control has access to records during annual facility inspection and can verify rabies vaccinations – there is no need for separate licenses. He also talked about statistics to distinguish the County from the City. He said the County does a great job trying to get a dog home first, before ever going to the shelter. The City's shelter had 30,000 intake last year. The City has a ratio of 50 animals per 1000 residents. The County has 1600 dogs impounded a year and the rate is 16 animals per 1000 residents, much lower than the City's rate. It is a smaller problem in the County than in the City. One man stated that he has his dog bred every 8 or 10 years. He wants a reasonable fee for an intact dog. Don't penalize him. He has American staghounds. One woman states that she is way over the number limit. She has a show dog, countless feral cats and rescue animals. She is paying fees to rescue the animals. The fees should not penalize her if her animals have testicles or uteruses. You should not be penalized for something you have not done, such as overpopulating.

**General** - Another woman runs a doggy door company and talked about chipping or tattooing. She stated that you can provide the City shelter emergency information for their database. She was out of the country for two weeks and she provided this

information and didn't have to worry that if animals got loose and were picked up they might be adopted out or euthanized. Another cat owner talked about having different laws for cats in the County. Her four cats are fixed and are never outside. Another man thanked the Commissioner for putting this together. He talked about times changing. You now have to take your shoes off at the airport for security. People at this meeting are not the problem. There is a need for spay/neuter education and fees and permanent identification. It's the times we live in. Not everyone believes the same thing. It's going to happen. One woman mentioned that education is really important. It's huge. There is no money for education. We need different levels of permits and fees. People would volunteer to help educate. There is not an adequate amount of education. Another person agreed education is the key. We should be volunteering and educating instead of sitting around talking about the ordinance. One person suggested in lieu of a fine, require a mandatory education class. A couple of people stated they moved out of the City limits because of the HEART ordinance. One person said he moved here to get away from the City because there is more freedom in the County. Another person mentioned the need for basic humanity toward animals. One woman asked about the proposed late fee for a license – where is the incentive to bail out her animal if it is impounded? Another person said there should be no cat fees.

Commissioner Brasher concluded the meeting by thanking everyone for attending. He stated this was an excellent meeting and thanked everyone for their comments. He also thanked County staff for their hard work.